

# WHAT COULD A **GENERAL ELECTION** MEAN FOR EMPLOYMENT LAW?



# CONSERVATIVE NEW EMPLOYMENT LAWS 2024-2025



## GREATER FLEXIBILITY FOR PATERNITY LEAVE

- 6 April 2024
- 2 weeks can be taken at any point in first year after birth or adoption (and can be split into blocks of 1 week)

## A WEEK'S UNPAID LEAVE FOR UNPAID CARERS

- April 2024

## EXTENDED REDUNDANCY PROTECTION

- April 2024
- Priority for SAE extended to pregnant employees & new parents for 6 months after returning from family leave

## RATE RISES FOR NMW / NLW

- Now £11.44/hour (since 1 April). Up from £10.42/hour.

## FLEXIBLE WORKING

- April 2024
- Now a "Day 1 right"
- Other changes
- New ACAS statutory CoP
- New ACAS guidance

## HOLIDAY PAY

- Holiday years beginning on or after 1 April 2024
- Irregular hours and part-year workers: New accrual method for holiday pay and ability to roll-up holiday pay

## TUPE

- Can consult directly with employees where business has <50 employees or transfer affects <10 employees
- Transfers taking place on or after 1 July 2024

## STATUTORY CODE OF PRACTICE ON DISMISSAL AND RE-ENGAGEMENT

- 18 July 2024  
Due to come into force

## MORE PREDICTABLE CONTRACT

- September 2024

## DUTY TO TAKE REASONABLE STEPS TO PREVENT SEXUAL HARASSMENT

- October 2024

## EXTENDED LEAVE FOR NEONATAL CARE

- Expected April 2025

## 3 MONTH LIMIT ON NON-COMPETES

- In due course

# CONSERVATIVE'S MANIFESTO PROMISES

01

Continuing implementing Minimum Service Levels legislation

02

Changing definition of sex in Equality Act 2010

03

Continue with Fit Note reforms

04

30 hours of free childcare per week from nine months for working parents

05

Maintain NLW at 2/3 of median earnings.

06

Cutting 2p off National Insurance for workers and abolishing main rate for self-employed by the end of Parliament.



# CONSERVATIVE'S MANIFESTO - WHAT'S LEFT OUT

Reform of using agency workers  
to cover for staff on strike

Re-introduction of tribunal fees

Legislation limiting non-compete  
clauses

Further TUPE reforms and reform of  
EWCs

Reform whistleblowing regime

Occupational Health framework

Reform of umbrella company market



# 1. LABOUR'S PLAN TO MAKE WORK PAY

## DELIVERING A NEW DEAL FOR WORKING PEOPLE

### ENDING ONE-SIDED FLEXIBILITY

- Ban zero hours contracts
- Right to a contract reflecting regular hours worked (12-week reference period) - compensation for cancelled / curtailed shifts
- End fire & re-hire (replace inadequate code of practice)
- Day 1 right to unfair dismissal
- Move towards single status of worker and 2-part framework for employment status
- Collective redundancy consultation determined by numbers impacted across the business rather than one workplace
- Stronger rights & protection for workers impacted by TUPE
- Protection for women reporting sexual harassment
- Stronger rights and protections for self-employed e.g. written contract, action for late payment

### FAIR PAY

01

NMW to be a genuine living wage taking cost of living into account - remove age bands

02

Enforce NMW travel time in sectors with multiple working sites

03

Day 1 right to SSP (no waiting period) and remove lower earnings limit

04

Hospitality workers to receive tips in full

05

Ban unpaid internships (except where educational or training)

06

New deal for social care workers including a new fair pay agreement in the adult social care sector

# 2. LABOUR'S PLAN TO MAKE WORK PAY

## DELIVERING A NEW DEAL FOR WORKING PEOPLE

### FAMILY-FRIENDLY RIGHTS

01

Day 1 right to flexible working as the default for all (except where not reasonably feasible)

02

Day 1 right to parental leave - and review parental leave system within first year

03

Unlawful to dismiss pregnant woman for 6 mths after RTW (except specific circumstances)

04

Review carer's leave and look at paid carer's leave

05

Clarify / introduce right to bereavement leave for all workers

06

Proposals to introduce surveillance technologies subject to consultation/negotiation with TUs / elected staff reps

07

Bring in right to "switch off" (e.g. Ireland or Belgian models)

### EQUALITY AT WORK

- Outsourcing not to be used to avoid paying equal pay
- Implement regulatory and enforcement unit for equal pay (with TU involvement)
- Enact socioeconomic duty in s1 of the Equality Act 2010
- Large firms required to publish gender pay gap action plans (and include outsourced workers in reporting)
- Mandate ethnicity and disability pay gap reporting for employers with 250+ employees
- Mandate menopause action plans for employers with 250+ employees
- New menopause guidance for small employers



# 3. LABOUR'S PLAN TO MAKE WORK PAY

## DELIVERING A NEW DEAL FOR WORKING PEOPLE

### RIGHTS AT WORK

- Establish a Single Enforcement Body
- Digitise ETs
- Increase time limit to bring ET claim from 3 to 6 months
- Allow collective grievances
- Modernise H&S guidance – ref. extreme temperatures
- Ensure workplaces free from harassment, including by 3rd parties & strengthen legal duty for employers to take all reasonable steps to stop sexual harassment before it starts
- New National Procurement Plan

### VOICE AT WORK

01

Repeal Trade Union Act 2016 and Strikes (Minimum Service Levels) Act 2023. No re-introduction of the Conduct of Employment Agencies & Businesses Amendment Regs 2022

02

Electronic balloting

03

Simplify union recognition process and law around statutory recognition thresholds

04

Gig economy - right to organise through TUs

05

TUs right to access workplace for recruitment & organising

06

New duty to inform new e'ees of right to join a union (and all staff on a regular basis) & include in s.1 written statement

07

TU reps facilities time & statutory rights for TU equality reps

08

Update and modernise blacklisting regulations

# 4. LABOUR'S EXTRA MANIFESTO COMMITMENTS

## EQUALITY AT WORK

- Race Equality Act
- Equal pay for Black, Asian, and other ethnic minority people
- Strengthen protections against dual discrimination
- Equal pay for disabled people
- Support disabled people to work by improving employment support and access to reasonable adjustments

## IMMIGRATION

- Reform points-based immigration system
- Zero tolerance of employers and agencies who breach visa rules or employment law (bar from hiring workers from abroad)
- Strengthen MAC and establish framework for joint working with skills bodies across the UK, Industrial Strategy Council & DWP to end reliance on overseas workers in parts of economy

## JOBS

- National jobs and careers service
- Devolved funding to support more disabled people and those with health conditions into work
- Tackle backlog of Access to Work claims and reform / replace Work Capability Assessment
- 18-21 year olds - guaranteed training, apprenticeship or support into work
- Guaranteed 2 weeks' work experience for every young person





# LIBERAL DEMOCRATS FOR A FAIR DEAL

## PARENTAL RIGHTS

- Day 1 right to parental leave and pay
- Increase Paternity Pay to 90% of earnings plus extra paid use-it-or-lose-it month for fathers/ partners
- Doubling SMP and SPP

## EQUALITY

- New PCs of caring and care experience
- Help parents, carers and disabled people enter job market
- Large employers to publish data on gender, ethnicity, disability and LGBT+ employment levels, pay gaps and progression

## EMPLOYMENT RIGHTS

- SSP from day 1 and lower salary threshold for receiving it
- Giving staff in plcs with 250+ employees a right to request shares
- Higher pay for people on zero hours contracts

## STATUS, ENFORCEMENT AND APPRENTICESHIPS

- New “dependent contractor” employment status
- New Work Protection Enforcement Authority
- Increased availability of apprenticeships



# GREEN PARTY

## REAL HOPE, REAL CHANGE

01

### DECENT WORK

- Increase NMW to £15/hr (no age limits) with costs to small businesses offset by reducing NI
- Maximum 10:1 pay ratio for all private and public-sector organisations
- 4-day working week

02

### RIGHTS AT WORK

- Day 1' employment rights for all workers, including those in 'gig economy' and on zero-hours contracts
- Gig employers that repeatedly break employment, DP or tax law to be refused operating licences

03

### RIGHTS TO ORGANISE

- Repeal current anti-union legislation and its replacement
- Introduce a positive Charter of Workers' Rights, with right to strike at heart & legal obligation for employers to recognise TUs



# COMPARE RIGHTS AT WORK

01

Single Enforcement Body not progressed

02

Call for evidence on Fit Note Reform

03

Recommendations on improvements to SSP provisions

- Single Enforcement Body
- Day 1 right to Unfair Dismissal, parental leave
- Right to disconnect
- Ban zero hours contracts
- Create single status of worker
- Strengthen rights for workers and self-employed
- Day 1 right to SSP – and lower earnings limit removed



# COMPARE DISCRIMINATION AND WORKPLACE INEQUALITIES

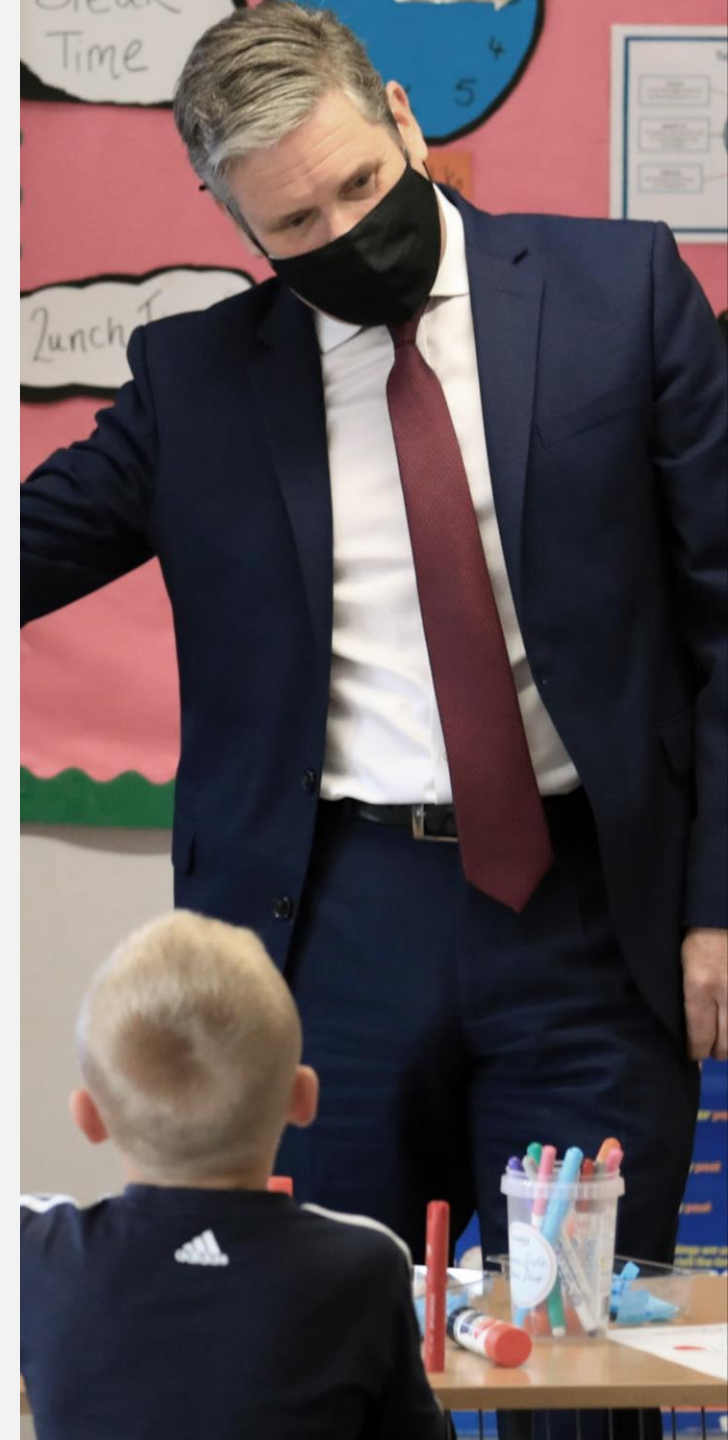
01

Review of GPG reporting long overdue (2022)

02

No plans to mandate ethnicity pay gap reporting – voluntary only

- Extend equal pay legislation to BAME and disabled workers
- Introduce dual discrimination
- Go further / faster in closing the GPG – e.g. include outsourced workers
- Mandate ethnicity and disability pay gap reporting for large employers (250+ employees)



# COMPARE TRADE UNIONS AND COLLECTIVE ACTION

01

Trade Union Act 2016

02

Strikes (Minimum Service Levels) Act 2023

03

Consultation to allow agency workers to cover striking workers

- Repeal the Trade Union Act 2016 – new reasonable right of entry
- Repeal the Strikes (Minimum Service Levels) Act 2023
- Oppose / repeal allowing agency workers to cover striking workers
- Promote collective action, including Fair Pay Agreements (starting in social care sector)



**MORE IMAGINATION MORE IMPACT**

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